



**In the Missouri Court of Appeals
Eastern District
DIVISION FIVE**

CAROL FENDLER,)	
)	
Appellant,)	No. ED95903
)	
vs.)	
)	Appeal from the Labor and Industrial
HUDSON SERVICES,)	Relations Commission
)	10-15331 R-A
and)	
)	
DIVISION OF EMPLOYMENT)	
SECURITY,)	Filed: October 11, 2011
)	
Respondents.)	

OPINION SUMMARY

Carol Fendler ("Claimant") appeals the decision of the Labor and Industrial Relations Commission denying her unemployment benefits on the ground that she was discharged for misconduct connected with her work.

REVERSED AND REMANDED.

Division Five holds: There was no evidence in the record to indicate that Claimant willfully, deliberately, or purposefully refused to follow instructions, and therefore, the Commission's decision was not supported by competent and substantial evidence.

Opinion by: Glenn A. Norton, J. and Ben Burkemper, Sp. J., concur
Kurt S. Odenwald, C.J., dissents.

Attorneys for Appellant: Timothy A. Weil (Rule 13) and John J. Ammann

Attorney for Respondent: Ninion S. Riley

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